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REMARKS

Claims 5-13, 20, 21, 23-40, 42-45 and 51-58 are pending in the instant application. The Applicant submits that the claims are in condition for allowance and requests reconsideration and withdrawal of the outstanding rejections. No new matter has been entered.

OBJECTIONS TO THE SPECIFICATION

With regard to the Examiner's objection to the specification, it is noted that antecedent basis for Claim 11 is found at paragraphs 49 and 50 of the applicant's specifications, which recite, in relevant part, "Extending from distal end portion 33 of outer tube 30 is a tongue 36 on which mounts a ferrule holder 40." A ferrule is a sleeve. Reconsideration and removal of the rejection is respectfully requested.

35 USC 112 REJECTIONS

With regard to the 35 USC 112, each of the identified claims has been amended to rectify any potential antecedent basis issues.

35 USC 102 REJECTIONS

Claims 11-13 and 51-58 have been rejected under 35 U.S.C. 102(b) over U.S. Patent No. 5,431,666 to Sauer (hereinafter "the '666 patent"). All elements of the claim must be described by the cited reference.

The '666 patent completely fails to describe an opening extending through a distal portion of the tongue, as described by claims 11 and 53-58, or a guide wire tube, as described by claims 12 and 13. Because these elements are not taught, the '666 patent cannot anticipate these claims. Reconsideration and allowance is respectfully requested.

With regard to claims 51-52, the "projections" the examiner refers to as 20 in the '666 patent are not projections at all. They are suture strands coming off of the ferrule itself. The '666 patent clearly does not teach ferrule holding projections. Reconsideration and allowance is respectfully requested.

Claims 20, 21, 23-30, and 40 have been rejected under 35 U.S.C. 102(b) over U.S. Patent No. 5,425,745 to Green (hereinafter "Green"). Claims 20-39 depend in some fashion

INE-0002C

12

from independent claim 51, which requires projections for holding ferrules. Green does not describe any such projection ferrule holders. Reconsideration and allowance is respectfully requested.

Claim 40 has been amended to clarify that the handle's U-shaped cross section is perpendicular to the longitudinal axis of the device. This is not taught by Green. Reconsideration and allowance of the claim is respectfully requested.

THE 35 USC 103 REJECTIONS

Claims 5-10 and 42-45 were rejected over the '666 patent in view of U.S. Patent No. 5,938,668 to Scirica et al (hereinafter "Scirica"). Claims 5-10 and 42-45 all depend from independent claim 51. Independent claim 51 requires ferrule holder projections, which neither the '666 patent nor Scirica teach or suggest. Because this limitation is lacking, a prima facie case cannot be sustained. Reconsideration and allowance of the claims is respectfully requested.

Claims 31-38 have been rejected under 35 USC 103(a) over Green in view of Scirica. Claims 31-38 all depend in some fashion from independent claim 51, which requires projections for holding ferrules. Green does not describe any such projection ferrule holders. Scirica does not describe any such projection ferrule holders. Because this limitation is lacking, a prima facie case cannot be sustained. Reconsideration and allowance of the claims is respectfully requested.

Claim 39 has been rejected under 35 USC 103(a) over Green. Claim 39 depends from independent claim 51, which requires projections for holding ferrules. Green does not describe any such projection ferrule holders. Scirica does not describe any such projection ferrule holders. Because this limitation is lacking, a prima facie case cannot be sustained. Reconsideration and allowance of the claims is respectfully requested.

INE-0002C

13

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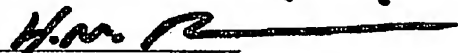
CONCLUSION

It is believed that the foregoing amendments and remarks fully comply with the Office Action and that the claims herein should now be allowable to Applicants. Accordingly, reconsideration and allowance is requested. It is submitted that the foregoing amendments and remarks should render the case in condition for allowance.

Accordingly, as the cited references neither anticipate nor render obvious that which the applicant deems to be the invention, it is respectfully requested that the claims be passed to issue.

If there are any charges with respect to this Amendment, by way of extension or otherwise, please charge them to Deposit Account No. 06-1130.

Respectfully Submitted,

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INE-0002C

14